



NORTHERN PLAINS

2-14-07 * RESOURCE COUNCIL *

Mr. Chairman, members of the committee. I am sorry that I could not attend the hearing in person.

I wish to speak in opposition to Senate Bill 407.

This bill would like to route water into impoundments in emergency situations. Who would determine the emergency? Would the landowner determine the emergency? Could a neighbor declare the emergency? Would the developer determine the emergency? Would DNRC or DEQ declare the emergency?

The water would be put into pre-existing impoundments. What if these dams are already full of water? Will the water be allowed to spill over the dams and down the gullies into the river? If a thunderstorm comes up and the dam is full of high SAR water what will be done to keep this water out of the river? Will DEQ monitor the water quality of the spills? Will the landowner be responsible for any damages done by the water?

On the CX ranch when methane was first produced several ponds were used and a storm came up and DEQ went down after the event. DEQ was forbidden to take water samples or photograph the event. Would DEQ's hands be tied once again if enforcement is attempted?

Assuming that the water from the CX field would be placed in ponds, let us think about how much water would be diverted. The discharge permit allows 1600 gallons per minute. This would amount to 7 acre feet per day. Most existing dams are about 50 acre feet. The water would fill a dam in about 7 days. For the length of the permit, which is 180 days, 26 reservoirs would be filled. This would be enough water to supply 74,117 cows water for a year. This is the problem Wyoming is dealing with now. They are trying to make sure that the water is being used. Supplying a dam full of water for one antelope is wasteful. Conservation must be used. This water should be put back into the aquifer for future use. We do not put well water into a reservoir to use. Our well water goes into tanks so that it is not wasted. It costs too much to pump water and we want to make sure that every drop is utilized. The methane industry must learn conservation.

Furthermore, this bill does not identify who would be liable if anything were to go wrong from these existing impoundments. Would it be the taxpayers? Would it be the landowner? Would it be the company? These questions need to be clarified so Montana's farm and ranch families are not stuck footing the bill for irresponsible coal bed methane extraction.

This bill poses way too many questions, with too few answers.

We strongly urge you to vote against SB 407.

Mark Fix
Chair, Northern Plains Resource Council

Amendments to Senate Bill No. 442
1st Reading Copy

Requested by Senator Christine Kaufmann

For the Senate Natural Resources and Energy Committee

Prepared by Joe Kolman
February 14, 2007 (2:16pm)

1. Page 1, line 19.

Following: "minerals"

Insert: "or materials"

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